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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,550	02/02/2001	Toshiaki Nakano	P107156-00051	8044

7590 01/03/2003  
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EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 01/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/773,550

Applicant(s)

NAKANO ET AL.

Examiner

Chongshan Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 2.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faber et al. ["Faber", Pub. No.: 2002/0010608] in view of Cupps et al. ["Cupps", 5,991,739].

Regarding to claim 1, Faber discloses a service providing area retrieval system comprising

a retrieval site connected to a computer network and including a retrieval server, a retrieval database storing data on genres of handled merchandises and service (Faber, Fig. 1 & 2),

wherein said retrieval server of said retrieval site retrieves shops capable of providing a service from said retrieval database in correspondence with an entry of a desired merchandise genre and a service providing shop from an information terminal having connected to said retrieval site, and displays the retrieved list of the corresponding shops on the information terminal, and after shop is selected based on the list, retrieves the service request data of the selected shop from said registered shop database, and displays the service request data on the information terminal, and then after an entry for requesting a service based on the service request data, sends the requested service contents to the selected shop (Faber, page 1, [0009], Fig. 1, 2 &

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6, different shops '200' connect to a network and register in a database '310'. Customers '100' connect to a network and shop online).

Faber does not explicitly disclose a database storing data on service providing areas as claimed; nor a database storing service request data as claimed. Cupps discloses a database storing data on service providing areas as claimed (Cupps, col. 7, lines 5-8), and a database storing service request data as claimed (Fig. 7, 144 Menu Web Pages, 146 Menu File System). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Cupps with Faber in order to provide a merchant system for online shopping and merchandising.

Regarding to claim 2, Faber and Cupps teach all the claimed subject matters as discussed in claim 1, and further discloses retrieval site further includes a registered user database storing user information, to retrieve user information from said registered user database based on an entry on the information terminal, and retrieve said list of shops capable of providing the service and said service request data based on the retrieved user information (Cupps, col. 5, lines 3-4).

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Faber et al.

["Faber", Pub. No.: 2002/0010608] in view of Cupps et al. ["Cupps", 5,991,739] and further in view of Dunworth et al. ["Dunworth", 5,930,474].

Regarding to claim 3, Faber and Cupps teach all the claimed subject matters as discussed in claim 1, except for explicitly disclosing a map database site including a map server and a map information database storing map image data and connected to the computer network, wherein an entry of a destination of the provided service on the information terminal is performed on a map image displayed based on the map information data read out from said map information database

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by said map server of said map database site. Dunworth discloses a map database site including a map server and a map information database storing map image data and connected to the computer network, wherein an entry of a destination of the provided service on the information terminal is performed on a map image displayed based on the map information data read out from said map information database by said map server of said map database site (Dunworth, col. 18, lines 31-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Faber, Cupps, and Dunworth in order to access geographical information.

4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faber et al. ["Faber", Pub. No.: 2002/0010608] in view of Cupps et al. ["Cupps", 5,991,739] and further in view of Blinn et al. ["Blinn", 6,484,150].

Regarding to claim 4, Faber discloses a service providing area retrieval system comprising:

a retrieval site connected to a computer network and including a retrieval server and a retrieval database storing data of genres of handled merchandises and service; and a shop site connected to the computer network (Faber, Fig. 1 & 2),

wherein said retrieval server of said retrieval site retrieves shops capable of providing service from said retrieval database in correspondence with an entry of a desired merchandise genre and a service providing shop from an information terminal having connected to said retrieval site, and displays the retrieved list of the corresponding shops on the information terminal, and after a shop is selected from the list, connect the information terminal to said shop site of the selected shop (Faber, page 1, [0009], Fig. 1, 2 & 6, different shops '200' connect to a

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network and register in a database '310'. Customers '100' connect to a network and shop online).

Faber does not explicitly disclose a database storing data of service providing areas as claimed; nor a shop server, a merchandise information database storing service request data of the shops, wherein said shop site connected with the information terminal displays a service request screen on the information terminal based on merchandise information data read out from said merchandise information database by said shop server. Cupps discloses a database storing data on service providing areas as claimed (Cupps, col. 7, lines 5-8). Blinn discloses a shop site connected to the computer network and including a shop server, a merchandise information database storing service request data of the shops, wherein said shop site connected with the information terminal displays a service request screen on the information terminal based on merchandise information data read out from said merchandise information database by said shop server (Blinn, Fig. 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Faber, Cupps and Blinn in order to order product from a shop within its delivery area.

Regarding to claim 5, Faber, Cupps and Blinn teach all the claimed subject matters as discussed in claim 4, and further discloses retrieval site further includes a registered user database storing user information, to retrieve user information from said registered user database based on an entry on the information terminal, and retrieve said list of shops capable of providing the service and said service request data based on the retrieved user information (Cupps, col. 5, lines 3-4).

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5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Faber et al. ["Faber", Pub. No.: 2002/0010608] in view of Cupps et al. ["Cupps", 5,991,739] further in view of Blinn et al. ["Blinn", 6,484,150] and further in view of Dunworth et al. ["Dunworth", 5,930,474].

Regarding to claim 6, Faber, Cupps and Blinn teach all the claimed subject matters as discussed in claim 4, except for explicitly disclosing a map database site including a map server and a map information database storing map image data and connected to the computer network, wherein an entry of a destination of the provided service on the service request screen displayed on the information terminal is performed on a map image displayed based on the map information data read out from said map information database by said map server of said map database site. Dunworth discloses a map database site including a map server and a map information database storing map image data and connected to the computer network, wherein an entry of a destination of the provided service on the service request screen displayed on the information terminal is performed on a map image displayed based on the map information data read out from said map information database by said map server of said map database site (Dunworth, col. 18, lines 31-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Faber, Cupps, Blinn and Dunworth in order to access geographical information.

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***Conclusion***

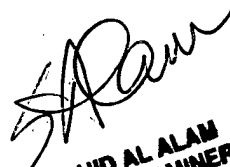
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (703) 305-8319.

The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

CC  
December 30, 2002

  
SHAHID AL ALAM  
PATENT EXAMINER